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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,) No. CR 10-00352 PJH

Plaintiff,)

v.)

TAE SON LEE (a/k/a Mike Lee),)
JONG MOON CHOI (a/k/a Peter Choi), and)
KWANG IL SONG (a/k/a Daniel Song),)

Defendants.)

**UNITED STATES' MOTION TO
TEMPORARILY UNSEAL SEARCH
WARRANT MATERIALS FOR
DISCOVERY AND ~~PROPOSED~~
ORDER**

The United States hereby moves the Court for an order to temporarily unseal the Applications and Affidavits for Search Warrant, Search Warrants, and all attachments thereto (collectively, "Search Warrant Materials"), which were issued on March 19 and 23, 2009 in cases No.4:09-70276-WDB, and No 4:09-70285-EMC-WDB, respectively, for the sole purpose of making copies for discovery to the defense and then to have the Search Warrant Materials resealed after the copies have been made. The defendants do not oppose this motion.

The Search Warrant Materials contain information relating to matters that occurred before the grand jury. Rule 6(e)(3)(E)(I) of the Federal Rules of Criminal Procedure permits the Court to "authorize the disclosure . . . of a grand-jury matter preliminarily to or in connection with a

1 judicial proceeding” Here, the defendants may appropriately receive the Search Warrant
2 Materials in discovery and may require information contained therein to adequately prepare and
3 assess their respective cases. (The government will redact all but the last four digits of any bank
4 account numbers contained in the Search Warrant Materials.) Authorizing the temporary
5 unsealing of the Search Warrant Materials for the purpose of making copies for producing
6 discovery and resealing those materials after copies have been made is therefore appropriate so
7 that the United States may fulfill its discovery obligations.

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9 Dated: July 23, 2010

10 Respectfully submitted,

11 JOSEPH P. RUSSONIELLO
12 United States Attorney

13 /S/
14 ANDREW S. HUANG
15 Assistant United States Attorney
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[PROPOSED] ORDER

Based upon the motion of the United States and for good cause shown, the Court hereby ORDERS that the Applications and Affidavits for Search Warrant, Search Warrants, and all attachments thereto (collectively, "Search Warrant Materials"), which were issued on March 19 and 20, 2009 in cases No.4:09-70276 WDB, and No 4:09-70285 WDB, respectively, be temporarily UNSEALED to permit the United States to make copies for the defendants and that said materials be RESEALED after such copies are made.

It is further ORDERED respectively United States is permitted to disclose to the defendants matters occurring before the grand jury as contained in the Search Warrant Materials and that the United States may redact all but the last four digits of any bank account numbers contained therein.

DATED: 7/26/2010



HON. DONNA M. RYU
United States District Court Magistrate Judge
Northern District of California